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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,458	05/31/2001	Philip Shafer	1014-007US01	9813
28863	7590	04/20/2005	EXAMINER	
SHUMAKER & SIEFFERT, P. A. 8425 SEASONS PARKWAY SUITE 105 ST. PAUL, MN 55125			DINH, KHANH Q	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/871,458

Applicant(s)

SHAFFER, PHILIP

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,2,14,15,27,28 and 39-42 is/are rejected.  
7) ☒ Claim(s) 3-13,16-26 and 29-38 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This is in response to the Amendments filed on 1/24/2005. Claims 1-38 and new claims 39-42 are presented for examination.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 14, 15, 27, 28 and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozzie et al., US pat. No.6,640,241 in view of Rosenthal, US pat. No.5,964,844.

As to claims 1 and 14, Ozzie discloses a method comprising: establishing a secure connection between a network router (318 fig.3) and a client (311 fig.3); initiating a command process on the network router and receiving from the client a command (processing requests from clients, see fig.3, col.10 line 56 to col.11 line 20); and in response to the command, accepting commands encoded in accordance with an extensible markup language (using XML in processing requests, see fig.4, col.11 line 22 to col.12 line 54).

Ozzie does not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary

skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claims 2 and 15, Ozzie discloses accepting commands comprises replacing the process with a management server process in response to the command, wherein the management server process provides an extensible markup language-based application programming interface (API) to the client (processing data using APIs, see col.12 lines 12-53 and col.13 lines 9-67). Ozzie does not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claim 27, Ozzie discloses a network router management interface comprising:

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a secure protocol module that provides a secure connection between a network router (318 fig.3) and a client (311 fig.3) a command module that receives commands from a client (processing requests from clients, see fig.3, col.10 line 56 to col.11 line 20); and a management server module (310 fig.3) that receives the commands from the module and in response to one of the commands, accepts commands encoded in accordance with an extensible markup language (using XML in processing requests, see fig.4, col.11 line 22 to col.12 line 54).

Ozzie dose not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claim 28, Ozzie discloses that the management server module accepts the commands by replacing the CLI module with the management server module and providing an extensible markup language-based application programming interface (API) to the client (processing data using APIs, see col.12 lines 12-53 and col.13 lines 9-67).

As to claim 39, Ozzie discloses a method comprising: establishing a secure connection between a network router (318 fig.3) and a client (311 fig.3); initiating a command process on the network router and receiving from the client a command (processing requests from clients, see fig.3, col.10 line 56 to col.11 line 20); and in response to the command, providing an application programming interface (API) to receive configuration requests and operation requests encoded in accordance with an extensible markup language (using XML in processing requests, see fig.4, col.11 line 22 to col.12 line 54).

accessing a network management interface schema that maps the extensible markup language tags to configuration and operational information associated with software modules running on the network router and parsing the configuration requests and the operation requests (see fig.4, col.11 line 22 to col.12 line 54).

accessing the corresponding configuration and operational information associated with the software modules according to the network management interface schema and emitting replies encoded with extensible markup language tags according to the network management interface schema (tags with engine identifiers, see col.12 line 55 to col.13 line 67 and col.15 lines 3-51).

Ozzie does not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it

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would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claim 40, Ozzie discloses replacing the process with the management server module and providing an extensible markup language-based application programming interface (API) to the client (processing data using APIs, see col.12 lines 12-53 and col.13 lines 9-67). Ozzie does not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claim 41, Ozzie discloses a network router comprising:

- a secure protocol module that provides a secure connection between a network router (318 fig.3) and a client (311 fig.3);

- a command module that receives from commands the client (processing requests from clients, see fig.3, col.10 line 56 to col.11 line 20);

a management server module that, wherein, in response to one of commands, the management server module:

receives from the client configuration requests and operation requests encoded in accordance with an extensible markup language (using XML in processing requests, see fig.4, col.11 line 22 to col.12 line 54).

accesses a network management interface schema that maps the extensible markup language tags to configuration and operational information associated with software modules running on the network router and parsing the configuration requests and the operation requests (see fig.4, col.11 line 22 to col.12 line 54).

accesses the corresponding configuration and operational information associated with the software modules according to the network management interface schema and emitting replies encoded with extensible markup language tags according to the network management interface schema (tags with engine identifiers, see col.12 line 55 to col.13 line 67 and col.15 lines 3-51).

Ozzie dose not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

As to claim 42, Ozzie discloses replacing the process with the management server module and providing an extensible markup language-based application programming interface (API) to the client (processing data using APIs, see col.12 lines 12-53 and col.13 lines 9-67). Ozzie does not specifically disclose using a command line interface (CLI). However, Rosenthal in the same network environment discloses a command line interface (CLI) (see col.3 line 64 to col.4 line 38). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Rosenthal's command line interface into the computer system of Ozzie to identify a command object because it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different places in a communications network.

### ***Response to Arguments***

4. Applicant's arguments filed on have been fully considered but they are not persuasive.

a. The Applicant also stated that adding new independent claims 39 and 41 including limitations of dependent claims 3 and 29.

*Examiner respectfully point out that Applicant has added incomplete limitations of dependent claims 3 and 29 (into independent claims 1 and 27) to form new independent claims 39 and 41. Therefore, claims 39 and 41 are still rejected in*

*this Office Action. Applicant is requested to add complete limitations of claims 3 and 29 into independent claims 1 and 27 for further consideration.*

b. Applicant asserts that neither Ozzie nor Rosenthal suggests accepting a CLI command encoded with an extensible markup language in response to receiving a CLI command via a CLI interface.

*Examiner respectfully disagrees. In response to applicant's arguments against the references (Ozzie and Rosenthal) individually, one cannot show nonobviousness by attacking the reference individually where the rejections are based on combinations of references. See **In re Keller, 642F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986)**. Applicant obviously attacks references individually without taking into consideration based on the teachings of the combinations of references as shown above. With respect to Rosenthal, Applicant seems to argue points the Examiner has already construed Ozzie does not teach while restricting the argument on the combination on the Ozzie- Rosenthal combined to argument with no motivation.*

c. Applicant asserts that there is no motivation to combine references as suggested in the prior art.

*Examiner respectfully point out that the motivation is clearly disclosed by the Rosenthal reference "it would have enabled users to identify the command object in the command buffer and minimized the need to maintain the code located in different*

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*places in a communications network" as rejected above (see Rosenthal's col.3 lines 1-15).*

*Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 14, 37, 39 and 41. Claims 2, 15, 28, 40 and 42 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action [mailed on 10/21/2004]. Accordingly, claims 1, 2, 14, 15, 27, 28 and 39-42 are respectfully rejected.*

### **Conclusion**

5. Claims 1, 2, 14, 15, 27, 28 and 39-42 are rejected.
6. Claims 3-13, 16-26 and 29-38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-6687. The fax phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

  
**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**

Khanh Dinh  
Patent Examiner  
Art Unit 2151  
4/16/2005